IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and

HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT PETITION No.3532 of 2005

Between:

Kalam Paparao, S/o Venkaiah,
Scheduled Tribe (Koya)
Aged about 35 years,
R/o Kothapeta Cheruvu, Paloncha Mandal,
Khammam District.

..... PETITIONER

AND

1 Andhra Pradesh Power Generation Corporation Limited, rep. by its Managing Director, Vidyut Soudha, Hyderabad.
2 The Secretary, Land Revenue, Government of Andhra Pradesh, Secretariat

Building, Hyderabad.
3 The District Collector, Khammam.
4 The Revenue Divisional Officer, Paloncha, Khammam District.
5 The Mandal Revenue Officer, Paloncha, Khammam District.
6 The District Registrar, Khammam.
7 The Sub Registrar, Kothagudem, Khammam District.
8 The Indian Oil Corporation Limited, rep. by its Senior Divisional Retail

Sales Manager, G.V.R. Towers, 3rd Floor, Bharathi Nagar,
Ring Road .Vijayawada - 520 008.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ or order or orders and more particularly in the nature of writ of mandamus declaring that the acts, deeds and things of the 1st respondent transferring the land measuring 0.69 acres in Survey No. 727/4, situated near "A" Colony of Paloncha village, Khammam District under proceedings bearing G.O.O.No. 457/GM(HR) 2004, dated 28-1-2005 , are illegal against to law and against to the Provisions of A.P. Scheduled Areas Land Transfer Regulation, and also against to the legal and fundamental rights guaranteed under the Constitution of India, in favour of the Schedule Tribes and consequently; a) to set aside transferring of the land admeasuring 0.69 acres in Survey No. 727/4, situated near "A" Colony of Paloncha Village, Khammam district under proceedings bearing G.O.O.No. 457/GM(HR)2004, dated 28-1-2005 by the 1st respondent in favour of the 8th respondent; b) to declare that the land in Survey Nos. 1 to 999 situated at Paloncha Samsthan of Paloncha Revenue Village, Khammam District as Schedule Area; c) to direct the respondents not to grant any kind of permissions to transfer of lands in Survey Nos. 1 to 999 situated at Paloncha Samsthan of Paloncha Revenue Village, Khammam District in favour of non tribes; and to pass such other order or orders as deem fit and proper in the circumstances of the case and in the interest of justice as otherwise, the petitioner and all Schedule Tribes Community Members shall be put to grave and inexplicable hardship and injury.

Counsel for the Petitioner : Sri PALIVELA SATYARAJA BABU

Counsel for the Respondent No.1 : SMT.K.SESHARAJYAM

Counsel for the Respondent No.8 : Sri P.V.Sanjay Kumar

Counsel for Respondents 2 to 7 : Govt. Pleader for Revenue

The Court at the admission stage made the following :

ORAL ORDER: (Per Hon'ble the Chief Justice)

Learned counsel for the petitioner states that in view of the application filed seeking leave to prefer writ appeal against the order of the learned single Judge in Writ Petition No.7150 of 2004 dated 27-12-2004, he is withdrawing the present writ petition.

Writ Petition is accordingly dismissed as withdrawn.

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DEVINDER GUPTA, C.J.

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B.SESHASAYANA REDDY, J

01-03-2005

bsc

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Managing Director, Andhra Pradesh Power Generation Corporation

Limited, Vidyut Soudha, Hyderabad.
2 The Secretary, Land Revenue, Government of Andhra Pradesh, Secretariat

Building, Hyderabad.
3 The District Collector, Khammam.
4 The Revenue Divisional Officer, Paloncha, Khammam District.
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6 The District Registrar, Khammam.
7 The Sub Registrar, Kothagudem, Khammam District.
8 The Senior Divisional Retail Sales Manager, The Indian Oil Corporation

Limited, G.V.R. Towers, 3rd Floor, Bharathi Nagar,
Ring Road .Vijayawada - 520 008.

9 2 CCs to Govt. Pleader for Revenue, High Court buildings, Hyderabad (OUT)

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